

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 PETER A. TORKILD and JULIA A.
8 TORKILD, a married couple,

9 Plaintiffs,

10 -vs-

11 THE DEPARTMENT OF FINANCIAL
12 INSTITUTIONS, a Washington State
13 Agency; and THE WASHINGTON STATE
14 OFFICE OF THE ATTORNEY GENERAL,
a Washington State Agency,

Defendants ,

NO. CV-11-0179-WFN

ORDER ON STIPULATION TO
DISMISS WITH PREJUDICE

15 Before the Court is the parties' Stipulation of Dismissal With Prejudice (ECF No. 37).
16 The parties to this matter, Plaintiffs Peter A. Torkild and Julia A. Torkild, *pro se*, and the
17 Defendants State of Washington, Department of Financial Institutions ("DFI") and Office of
18 the Attorney General ("AGO"), acting by and through Robert M. McKenna, Attorney
19 General, and Heather L. Polz, Assistant Attorney General, have agreed to stipulate to the
20 dismissal of this case with prejudice based on the following terms:

21 As of the date that this stipulation is approved by the Court, the DFI and AGO agree
22 to provide notice to the Torkilds of future records requests under the Public Records Act that
23 refer to Peter or Julia Torkild. Specifically, notice will be provided of public record requests
24 or subpoenas seeking records created or collected by the DFI and/or AGO that refer to the
25 DFI's investigation of Peter or Julia Torkild (investigation numbers C-06-108 and C-08-249)
26 and the AGO's prosecution of the Torkilds (Skagit County Cause Nos. 07-1-01142-0,

07-1-01144-6, 07-1-01145-4, and 07-1-01143-8 - formerly Whatcom County Cause Nos. 07-1-00520-2, 07-1-00521-1, 07-1-00522-9, and 07-1-00523-7). However, notice will not be provided of any request or subpoena that only seeks pleadings that have been filed with a court.

Notice to the Torkilds will be sent at least 20 days prior to records being produced in response to a public records request or a subpoena. Such notice will be provided until the records identified in the preceding paragraph are destroyed pursuant to records retention requirements provided by law. Unless required to do so otherwise under law, including because of pending public records requests, pending subpoenas, or ongoing or threatened litigation, the DFI and AGO agree to destroy the records in the paper and electronic files of the above listed matters once their minimum record retention period has expired.

The DFI and AGO agree to provide such notice to Peter Torkild and Julia Torkild, separately, in writing by U.S. mail at the following address: 4727 Owens Road #11, Moses Lake, WA 98837. If the Torkilds wish to change the address at which they receive notice, they must provide such new addresses in writing to the DFI and AGO at the following addresses:

Washington State Attorney General's Office
Public Records - Olympia
Administration Division
Highways-Licenses Building
1125 Washington Street SE
P.O. Box 40100
Olympia, WA 98504-0100

Washington State Department of Financial Institutions
Public Records Officer
P.O. Box 41200
Olympia, WA 98504-1200

The written change of address request shall contain the statement that "Pursuant to an Agreed Stipulation and Order entered in Case No. CV-11-179-WFN, notice of a public records request shall be sent to the Torkilds at [insert new address]."

1 The Court has reviewed the file and is fully informed. Accordingly,

2 **IT IS ORDERED** that:

3 1. The Plaintiffs' claims are **DISMISSED WITH PREJUDICE**.

4 2. Each party shall bear their own attorney's fees and costs.

5 The District Court Executive is directed to file this Order, provide copies to counsel
6 and **CLOSE THIS FILE**.

7 **DATED** this 6th day of March, 2012.

8
9
10 03-02-12

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE